

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

NASSIM HARAMEIN,
Plaintiff,

v.

RATIONALWIKI FOUNDATION, INC.
d/b/a RATIONALMEDIA FOUNDATION,
TRENT TOULOUSE, JOHN DOES 1-7
and JOHN DOES 8-1000,
Defendants.

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CIVIL ACTION No. 1:24-cv-775

JURY DEMANDED

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, NASSIM HARAMEIN, by and through undersigned Counsel, and hereby respectfully complains and shows as follows.

PARTIES, JURISDICTION & VENUE

1. Plaintiff Nassim Hamein is a U.S. citizen and resident of France.
2. Plaintiff RationalWiki Foundation, Inc. d/b/a RationalMedia Foundation, is a New Mexico nonprofit corporation and 501(c)(3), EIN 27-3197280, with its principal place(s) of business located at 530-B Harkle Rd, Ste 100, Santa Fe, NM 87505, and/or 122 Girard Ave NE Albuquerque, NM 87106, and/or 1209 Mountain Rd Pl NE, Ste R, Albuquerque, NM 87110.
3. Defendant Trent Toulouse is a resident of Albuquerque, New Mexico, and is Operations Manager and Board Trustee of Defendant RationalWiki Foundation, Inc.
4. Defendant John Doe 1 is an anonymous Board Trustee for Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “Spud.”
5. Defendant John Doe 2 is an anonymous Board Trustee for Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “cosmikdebris.”

6. Defendant John Doe 3 is an anonymous former Board Trustee of Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “GrammarCommie.”

7. Defendant John Doe 4 is an anonymous former Board Trustee of Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “FuzzyCatPotato.”

8. Defendant John Doe 5 is an anonymous former Board Trustee of Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “Stabby the Misanthrope.”

9. Defendant John Doe 6 is an anonymous former Board Trustee of Defendant RationalWiki Foundation, Inc., who goes by the online pseudonym “Scream!!”

10. Defendant John Doe 7 is an anonymous former Board Trustee of RationalWiki Foundation, Inc., who goes by the online pseudonym “Blue.”

11. John Does 8-1000 are anonymous editors, sysops, techs and moderators of a website operated by Defendant RationalWiki Foundation, Inc., and are presently unknown to Plaintiff.

12. The Court has personal jurisdiction over the parties.

13. Plaintiff invokes the Court’s subject matter jurisdiction per 28 U.S.C. § 1332, because the matter in controversy exceeds the sum or value of \$75,000, exclusive of costs and interest, and because no Defendant is a resident of the same state as the Plaintiff.

14. Venue is proper before the Court.

GENERAL ALLEGATIONS

I. RATIONALWIKI FOUNDATION, INC. IS AN INFORMATION CONTENT PROVIDER

15. Defendant RationalWiki Foundation, Inc. (hereinafter, “RWF”) hosts, maintains and operates a website, with the domain name <https://rationalwiki.org> (hereinafter, “RationalWiki”).

16. RationalWiki has over 8,000 discrete articles and millions of unique monthly visitors.

17. In a RationalWiki article titled “Legal FAQ”—which was created by Defendant Toulouse

and has been edited by past Trustee and current tech David Gerard, as well as Defendants Toulouse, FuzzyCatPotato, and cosmikdebris—RationalWiki is described a “content producer.”

18. Almost any third-party internet user may “edit” RationalWiki articles.

19. An “editor” of RationalWiki is not merely someone who edits in the sense of correcting, condensing, or modifying content authored by others. Rather, RationalWiki “editors” may also “edit” by contributing original content to, and creating, articles on RationalWiki.

20. RationalWiki’s “Community Standards” page states, *inter alia*, that: (i) Rational Wiki articles should take a “snarky” tone; (ii) RationalWiki has a “scientific point of view,” meaning that “our articles take the side of the scientific consensus on an issue”; and (iii) all content on RationalWiki must conform to the “RationalWiki Mission,” i.e.,

1. Analyzing and refuting pseudoscience and the anti-science movement; 2. Documenting the full range of crank ideas; 3. Explorations of authoritarianism and fundamentalism; 4. Analysis and criticism of how these subjects are handled in the media.

21. A particular and readily identifiable left-of-center view of what constitutes scientific orthodoxy prevails across all RationalWiki articles, with virtually no variation.

22. Various other policy pages on RationalWiki explicate and clarify this viewpoint.

23. Articles that are not “on mission” are deleted and editors who do not uphold RWF’s Mission are banned from contributing.

24. RationalWiki’s Mission is so rigid and dogmatic that, e.g., an article on RationalWiki about world-renown physicist Michio Kaku describes Kaku as “a crank” who has “unorthodox views,” and compares Kaku to notorious conspiracy theorist David Icke.

25. Certain specialized editors including techs, moderators, and sysops are given authority to block and censor other editors and content in order to enforce the “Mission.”

26. While there are over 1000 sysops, there are only 17 techs and six moderators. Techs and moderators have more extensive authority to block and censor than sysops and other editors do.

27. This core of moderators, techs and sysops, including Defendants Toulouse and John Does 1-7, aggressively enforce RationalWiki's "Mission" and viewpoint.

28. No particular background, knowledge, or credential—academic, scholarly, or other—is required to be a tech, moderator, sysop, or editor of RationalWiki.

29. Most editors, techs, moderators and sysops are anonymous, including John Does 1-1000.

30. Current techs include Defendants Toulouse and "cosmikdebris."

31. Past RWF Trustee David Gerard is also a current tech, and operates RWF's X account.

32. Current moderators include Defendant "Spud."

33. Current sysops include Defendants "Blue," "Spud," and "cosmikdebris."

34. RWF solicits donations on RationalWiki and on <https://rationalweb.org/>.

35. Prior to 2010, RationalWiki's domains were registered to Defendant Trent Toulouse.

36. In 2010, Toulouse incorporated RWF.

37. RWF is overseen by a Board of Trustees and an Operations Manager.

38. Toulouse is RWF's Operations Manager.

39. Toulouse has been Trustee and Operations Manager continuously since 2010.

40. As Operations Manager, Toulouse has the sole ability to alter settings and create functions and extensions on the site server.

II. DEFENDANTS ARE DEFAMING PLAINTIFF

41. Plaintiff is a physicist, author, and lecturer who also owns and operates several corporations, both for-profit, and non-profit, including International Space Federation, Ark Crystal LLC, Torus Tech LLC, and Resonance Science Foundation.

42. Plaintiff is not a public figure.

43. Wikipedia articles about Plaintiff have repeatedly been deleted on notability grounds.

44. Mr. Hamein's work has been lauded by numerous physicists, including Louis Kauffman, Peter Rowlands, Peter Milonni, and the late Elizabeth Rauscher.

45. Dr. Rauscher published with Mr. Hamein and regarded him highly.

46. Dr. Rauscher's career included scientifically substantive work for Livermore National Labs, the Stanford Research Institute, and NASA.

47. Mr. Hamein has presented his work at mainstream scientific conferences and has been awarded best paper at a CASYS-09 conference.

48. All of Mr. Hamein's publications are published in peer reviewed scientific journals.

49. Peer review of Mr. Hamein's work has been published alongside his publications.

50. RationalWiki contains an article titled "Nassim Hamein," located at https://rationalwiki.org/wiki/Nassim_Hamein.

51. The article is dedicated to disparaging Mr. Hamein and his work.

52. The article has been published on RationalWiki since 2013.

53. Defendants Toulouse and John Does 1-1000 have each "edited" the article.

54. Defendant Toulouse is not a physicist.

55. John Does 1-1000 lack formal post-secondary and post-graduate training in physics.

56. The page falsely states that Mr. Hamein is "an amateur physicist."

57. The page falsely suggests that Mr. Hamein's work is illegitimate because he is an autodidact.

58. The page falsely states that,

[Mr. Hamein's] self-promotion and outreach is considered cult-like, and like many pseudoscientists, he is good at impressing people who have little to no understanding of modern physics, scientific research, or skepticism.

59. The page does not indicate who considers Mr. Hamein's self-promotion and outreach to be cult-like, or just what about Mr. Hamein's self-promotion and outreach is "cult-like."

60. The page falsely states that,

Hamein's work is ignored by mainstream physicists because it is pseudoscience with no evidentiary support.

61. The page falsely states that,

Few scientists bother to respond to Hamein because even the most basic review shows his models to be based on flawed mathematics and wrong assumptions, with "proofs" that quickly become circular and self-referential.

62. The page falsely states that Mr. Hamein's collaborator, the late Dr. Rauscher, was a "fringe" scientist, implying that legitimate scientists do not associate with Mr. Hamein.

63. The page falsely states that Mr. Hamein's paper on the Schwarzschild Proton has been "debunked."

64. No academic or scientific publication has ever "debunked" Mr. Hamein's Schwarzschild Proton paper.

65. The page refers disparagingly to a paper written by Mr. Hamein, titled, "Quantum Gravity and the Holographic Mass," that was submitted for peer review in the journal *Physical Review and Research International*, part of Science Domain International ("SDI") publishers.

66. In December 2012, before the aforesaid paper was published, Mr. Hamein registered a copyright for the paper at the Library of Congress, copyright no. TXu001843342.

67. In the aforesaid paper, Mr. Hamein utilized Planck spherical units (PSU) to describe the holographic vacuum fluctuations, and predict the charge radius, of the proton.

68. Shortly thereafter, in January 2013, a new muonic measurement of the proton, performed by a team of respected, mainstream academic physicists, including from the Max Planck Institute, was published in the journal *Science* (DOI: 10.1126/science.1230016).

69. The aforesaid measurement agreed with Mr. Hamein's prediction of the proton's change radius—i.e., Mr. Hamein's prediction fell within the margin of error of the experiment.

70. In referring to the aforesaid article by Mr. Hamein, the RationalWiki article about him claims that SDI will publish anything for a fee, with no genuine process of peer review.

71. In 2013, the journal *Science* performed a sting operation on open access journals and ended up whitelisting SDI as having an authentic peer review process.

72. Of the hundreds of edits that have been made to the RationalWiki article about Mr. Hamein since 2013, several have been positive or balanced in regard to Mr. Hamein's work.

73. All of these positive or balanced edits have been removed by David Gerard and John Does 1-1000, including Defendant "cosmikdebris."

74. RationalWiki's "Legal FAQ" page contains a heading, "What should I do if I feel an article is attacking me, my company or my product?" beneath which the page states,

Every article has a talk page, start there, tell where you think we are wrong, provide us with specifics and evidence and we will work with you to make a better article. Just keep in mind our mission and point of view. Legal threats or angry confrontation will get you nowhere; also avoid editing the article directly without first talking about it. You will merely be reverted and nothing will change.

75. The "talk" page for RationalWiki's article about Mr. Hamein contains numerous positive comments about Mr. Hamein's work from several editors.

76. These positive comments are respectful.

77. The positive comments raise particularized issues about content of the article.

78. The positive comments cite sources and explicate the authors' reasoning clearly.

79. The “talk” page contains brief, curt and dismissive responses to these positive comments, from Gerard and “cosmikdebris,” defending their decisions to override and remove (or “revert”) earlier edits that were positive or balanced in regard to Mr. Hamein.

80. Prior to RWF being served a cease-and-desist letter by Plaintiff in March 2024, the subject webpage falsely stated that Mr. Hamein has never published in a peer-reviewed scientific journal.

81. Subsequently, the page was altered to falsely state that no publication in which Mr. Hamein has published maintains an *authentic* peer review process.

82. The “fossil record” on the subject webpage does not reflect these alterations.

83. The fossil record of a given RationalWiki article is a chronological ledger of all edits, deletions, alterations, and contributions of content to that particular article, which hyperlinks each edit, lists the date and time of each edit, and the editor’s IP address or username.

84. Fossil records on RationalWiki are ordinarily historically complete and unredacted.

85. Upon information and belief, Toulouse made the aforesaid alterations.

86. Upon information and belief, Toulouse manipulated RationalWiki’s server or servers to conceal those alterations from the public-facing “fossil record” of the subject webpage.

87. In the U.S., the subject webpage (https://rationalwiki.org/wiki/Nassim_Hamein) appears at the top of Google search results for Mr. Hamein’s name since 2013, and ranks in the first page of Google search results for Mr. Hamein’s name in Europe.

88. The subject webpage has cost Mr. Hamein millions of dollars of lost investments in his private companies, and millions of dollars of lost donations to his non-profit organizations. *See Exhibit A*, Affidavit of Nassim Hamein, and *Exhibit B*, Affidavit of Thibault Verbiest.

ENUMERATED CAUSES OF ACTION

As a result of Defendants' misconduct, the Plaintiff has been severely damaged and hereby pleads the following causes of action against Defendants, whom he seeks to hold liable.

COUNT I
Defamation
Against All Defendants

- 89. Plaintiff incorporates by reference all preceding paragraphs.
- 90. Defendants published false statements of fact about Plaintiff to third parties.
- 91. Defendants published aforesaid false statements without privilege.
- 92. Aforesaid third parties understood Defendants' false statements to have defamatory meaning.
- 93. Defendants communicated those false statements while knowing they are false.
- 94. Defendants communicated those false statements with reckless disregard for the truth.
- 95. Defendants communicated those false statements negligently.
- 96. As a direct and proximate result of Defendants' defamation, the Plaintiff has suffered and continues to suffer pecuniary damages and reputational harm, humiliation, mental anguish and suffering, and is entitled to compensatory damages, punitive damages, pre- and post-judgment interest, attorney's fees and all costs of bringing this action, and such other and further relief as the Court deems just and equitable.

COUNT II
Conspiracy
Against All Defendants

- 97. Plaintiff incorporates by reference all preceding paragraphs.
- 98. Defendants intentionally agreed to defame Plaintiff.
- 99. Defendants agreed to defame Plaintiff with knowledge of unlawfulness.

100. One or more Defendants acted overtly in furtherance of aforesaid agreement.

101. Defendants participated in the maintenance of a webpage dedicated to defaming Plaintiff, by publishing, editing, and monitoring content on the webpage.

102. As a direct and proximate result of Defendants' conspiracy, the Plaintiff has suffered and continues to suffer pecuniary damages and reputational harm, humiliation, mental anguish and suffering, and is entitled to compensatory damages, punitive damages, pre- and post-judgment interest, attorney's fees and all costs of bringing this action, and such other and further relief as the Court deems just and equitable.

COUNT III
Invasion of Privacy: Commercial Misappropriation
Against Defendant Trent Toulouse

103. Plaintiff incorporates by reference all preceding paragraphs.

104. Defendant Toulouse (hereinafter under this Count III, "Defendant") acts as a public representative of Defendant RationalWiki Foundation, Inc.

105. Defendant is an academic in a scientific discipline.

106. Defendant utilizes his role with RationalWiki Foundation, Inc. and RationalWiki.org to network, promote himself and his work, and further his career.

107. Defendant, without privilege, misappropriated Plaintiff's name, and Defendant's misappropriation of Plaintiff's name is continuous and ongoing.

108. Defendant appropriated Plaintiff's name without Plaintiff's consent, in furtherance of Defendant's role with RationalWiki Foundation, Inc. and RationalWiki.org, which Defendant utilizes to network, promote himself and his work, and further his career.

109. Defendant appropriated Plaintiff's name for his benefit.

110. Defendant appropriated Plaintiff's name for his pecuniary gain.

111. As a direct and proximate result of Defendant's commercial misappropriation invasion of privacy, Plaintiff has suffered and continues to suffer pecuniary damages and reputational harm, humiliation, mental anguish and suffering, and is entitled to compensatory damages, punitive damages, pre- and post-judgment interest, attorney's fees and all costs of bringing this action, and such other and further relief as the Court deems just and equitable.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

PRAYER FOR RELIEF

WHEREFORE the Plaintiff, NASSIM HARAMEIN, hereby prays the Court for relief as follows:

- I. Compensatory damages in the amount to be proven at trial.
- II. Punitive damages.
- III. Pre- judgment interest.
- IV. Post-judgment interest.
- V. Attorney's fees.
- VI. All costs of bringing this action.
- VII. Such other and further relief as the Court deems just and equitable.

Respectfully Submitted,

By: s/ Aaron Cress
Aaron T. Cress, Esq.
LATE NIGHT LAW
12231 Academy Rd NE 301-274
Albuquerque, NM 87111
aaron@latenightlaw.com
(505) 225-2623

Attorney for Plaintiff

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

NASSIM HARAMEIN,
Plaintiff,

v.

RATIONALWIKI FOUNDATION, INC.
d/b/a RATIONALMEDIA FOUNDATION,
TRENT TOULOUSE, JOHN DOES 1-7
and JOHN DOES 8-1000,
Defendants.

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CIVIL ACTION No.

AFFIDAVIT OF NASSIM HARAMEIN

Nassim Haremein, being first duly sworn, upon his oath deposes and states as follows:

1. I am the Plaintiff in this action.
2. I have suffered significant financial losses as a direct result of a disparaging webpage, https://rationalwiki.org/wiki/Nassim_Haremein.
3. This webpage is dedicated to defaming and disparaging me.
4. In April 9, 2018 a German Company committed to invest \$20 million in Torus Tech.
5. In April, 2021 as a direct result of reputational concerns raised in guidance from advisors influenced by the aforesaid webpage, the company reduced its commitment by \$5 million.
6. In March, 2019 an investor withdrew an offer of \$5 million to be invested in Torus Tech after expressing concerns about my character arising directly from exposure to the aforesaid webpage.

7. In July, 2015 a USA company, committed to invest \$20 million in Torus Tech.
8. In April, 2016 the company defaulted after investing only \$3 million. Its board terminated funding due to concerns about my online reputation.
9. Resulting losses total \$17 million.
10. In June, 2015 as a result of exposure to the aforesaid webpage, a bank in Brazil revoked a twenty year, one dollar per year lease of land in Hawaii to Resonance Science Foundation after only three years, forcing me into a new lease at \$35,000 per month.
11. Resulting costs to Torus Tech totaling \$7.14 million.
12. The aforesaid lost business opportunities total \$34.14 million and resulted directly from the aforesaid defamatory webpage.


SUBSCRIBED AND SWORN to before me this 23 day of July, 2024 by Nassim
Haramain.



NASSIM HARAMEIN

Vu pour la légalisation de la signature de :
voor de legalisatie van de handtekening van :
For the certification of the signature of :
Mr Nassim HARAMEIN

Bruxelles.Brussel(s)

 23.7.2024



 **NOTABEL**
Notaires Associés - Geassocieerde Notarissen
DE CLIPPELE • DEGOMME • BRUYAUX • NAETS

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EXHIBIT B

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

NASSIM HARAMEIN,
Plaintiff,

v.

RATIONALWIKI FOUNDATION, INC.
d/b/a RATIONALMEDIA FOUNDATION,
TRENT TOULOUSE, JOHN DOES 1-7
and JOHN DOES 8-1000,
Defendants.

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CIVIL ACTION No.

AFFIDAVIT OF THIBAUT VERBIEST

Thibaut Veriest, being first duly sworn, upon his oath deposes and states as follows:

1. I am a qualified attorney admitted to the bars of Brussels and Paris.
2. I am European counsel to Nassim Hamein.
3. On multiple occasions, in my capacity as counsel to Mr. Hamein, I have witnessed numerous potential business partners, who had expressed serious interest in investing with Mr. Hamein's businesses, abruptly withdraw from doing so.
4. These withdrawals resulted directly from exposure of these potential business partners to a disparaging webpage, https://rationalwiki.org/wiki/Nassim_Hamein.
5. This webpage is dedicated to defaming and disparaging Mr. Hamein.
6. In some instances, this page led directly to the cessation of negotiations that would otherwise have resulted in multi-million-dollar investments in Mr. Hamein's work.

7. In June 2023 in Paris, at a meeting with a partner in a well-known French investment bank, the partner refused to introduce Mr. Hamein to investors after reading the defamatory webpage.
8. In July 2023, at a meeting over Zoom with a New York-based broker-dealer, the broker-dealer refused to represent Mr. Hamein and verbally informed Mr. Hamein and me that his decision was based on the defamatory webpage.
9. In October 2023 in Brussels, I was preparing to sign a letter of intent with a Belgian investment fund, which decided to terminate negotiations because of the webpage.
10. In January 2024, at the World Economic Forum in Davos, I met on Mr. Hamein's behalf with numerous interested investors who had the same reaction and declined to discuss partnership with Mr. Hamein upon beginning their due diligence, because a cursory Google search turns up the webpage at the top of search results.
11. In May 2024, in Tangiers, Morocco, a representative of a Qatari investment fund was in discussions with Mr. Hamein and we were preparing to organize a visit by the representative to Mr. Hamein's laboratory, but the investor abruptly decided to terminate discussions, as a direct result of exposure to the webpage.
12. In my estimation the aforesaid lost business opportunities are worth at least \$5 million in the aggregate and resulted directly from the aforesaid defamatory webpage.

SUBSCRIBED AND SWORN to before me this 19th day of July, 2024 by Thibault

Verbiest.

Vu pour la légalisation de la signature de :
voor de legalisatie van de handtekening van :
For the certification of the signature of :
Mr. Thibault Verbiest

Bruxelles.Brussel(s)

19.7.2024



THIBAUT VERBIEST



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